

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

OLGA YOUNG, )  
                  )  
Plaintiff,     )  
                  )  
v.               )     No. 10 C 4427  
                  )  
MARIANJOY, INC., et al.,     )  
                  )  
Defendants.     )

MEMORANDUM

On August 15, 2011 this Court granted defendants' motion to dismiss this employment discrimination action brought by Olga Young (who was then acting pro se) because of her failure to have included this claim in her list of assets in the Chapter 7 bankruptcy proceedings that she had instituted. Now Young has noticed up for presentment on September 29 a Fed. R. Civ. P. 59(e) motion to vacate the August 15 order of dismissal, asserting that her bankruptcy lawyer has since succeeded in having Bankruptcy Judge Manuel Barbosa reopen the bankruptcy proceedings to allow the claim to be listed as an asset.

But the problem with Young's motion is that the very reason she has advanced as its predicate--the fact that the trustee in bankruptcy is the real party in interest, authorized to determine what course of action (if any) should be taken to pursue the claim--means that Young herself has no standing in the matter. Accordingly this Court has hastened to issue this memorandum now, rather than awaiting the scheduled presentment date, to advise

that Young's pro se motion will not be entertained.



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Milton I. Shadur  
Senior United States District Judge

Date: September 13, 2011